

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CHELSIE NITSCHKE AND CYNTHIA
GEORGE,

Plaintiffs,

v.

VILLAGES AT FOREST VIEW, LLC;
VFV PARTNERS, LLC; AND
HOSTETTLER, NEUHOFF & DAVIS,
LLC D/B/A HND REALTY LLC,

Defendants.

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Civil Action No.: 3:24-cv-01342

JURY DEMANDED

**Judge William L. Campbell, Jr.
Magistrate Judge Alistair Newbern**

PLAINTIFF'S ANSWER TO DEFENDANT'S COUNTERCLAIM

Plaintiffs Chelsie Nitschke and Cynthia George, individually, and on behalf of all others similarly situated ("Plaintiffs"), files this Answer to Defendants' Villages At Forest View, LLC, VFV Partners, LLC, and Hostettler, Neuhooff & Davis, LLC d/b/a HND Realty LLC Counterclaim.

1. Plaintiffs admit the allegations contained in ¶1 of Defendant's Counterclaim.
2. Plaintiff admit the allegations contained in ¶2 of Defendant's Counterclaim.
3. Plaintiff deny the allegations contained in ¶3 of Defendant's Counterclaim and demands strict proof thereof.
4. Plaintiffs admit the allegations contained in ¶4 of Defendant's Counterclaim.
5. Paragraph 5 contains no factual allegations and no response is required.
6. Plaintiffs deny the allegations contained in ¶6 of Defendant's Counterclaim and demand strict proof thereof.
7. Defendants' allegation in ¶7 is legal conclusion to which no response is required.

However, the standard for recovery of attorneys' fees by a defendant in a Fair Housing lawsuit is misstated in this paragraph.

8. Defendants' allegation in ¶7 is legal conclusion to which no response is required.

DEFENSES

Defendants alleged "counterclaim" for attorneys' fees is not a legal cause of action.

Rather, it is properly made as a post-trial motion under Fed. R. Civ. P. 54(d).

PRAYER

WHEREFORE, Plaintiffs, prays that after final hearing, that Defendants take nothing on their counterclaim and dismiss Defendant's Counterclaim with prejudice, awarding Plaintiffs their attorneys' fees and costs, and for such other and further relief as the Court may deem proper.

Dated: March 17, 2025.

Respectfully Submitted,

CALHOUN & ASSOCIATES

/s/ Eric G. Calhoun

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on March 17, 2025, I caused a true and correct copy of the foregoing document to be served on counsel of record for Defendants, via electronic mail, as follows:

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